

1893-007 Chancery Causes: John F. Skaggs twife vs. Heirs of C. B. Howard
Lee Co.

Johnson, Gilly, Parks, Gilley, Sparks

1 Plat

CA-Estate Dispute
T-Property

To the Hon. S. S. K. Morrison, Judge
of the Circuit Court for Lin County:

Your orator and oratrix John
F. Skaggs and Corline J. Skaggs
humbly complaining respectfully
showeth unto your Honor, That
your female Complainant's father,
C. B. Howard, was in his life
time seized and possessed of a
certain real estate lying and being
in the County of Lin and within
a hundred yards of the depot at
Perrington's Gap; that said real
estate is bounded on the southern
side by the L. & N. right of way
and a small strip heretofore
condemned for a public pass-
way; and on the western side
by lands formerly belonging to
the Perrington's Gap Improve-
ment Company; and on the
northern side by ~~lands~~ also
belonging to said Company and on
the eastern side by a branch,
and supposed to contain about
six acres; that said land is
in three parcels, being cut by
both Joslyn and Morgan ave-
nues; and being so seized and

possessed of said land, the said
C. B. Howard, on or about the
day of 1890 died in-
testate leaving your coatrix,
Mahell Johnson the wife of C. E.
Johnson, Octa Howard, and
John W. Howard and the
children of Mary Gilly, to wit:
Cornie Parks the wife of H. C. Parks
Emory Gilly, Gale Gilly, Anis
Gilly, Fred Gilly and Pip Gilly
his only children and heirs at
law. All of said heirs and chil-
dren and heirs are minors ex-
cept your Co-plaintiffs, C. E.
Johnson and H. C. Parks. And
your ^{complets} ~~extra~~ further states that the
said real estate is, as they believe
susceptible of partition among
the parties entitled thereto. Your
complets further state that they
on the western side of said land
and adjoining thereto ~~they~~ own
real estate; it is therefore
desired by your Complets that
their one-fifth interest be laid
off and assigned them adjoining
to their said lands.

Forasmuch, therefore as your
complaints are remediless in the
premises save in your honor's
Court of Chancery they pray that
the said C. B. Johnson, Mabel
Johnson, Docta Howard, John
W. Howard, H. C. Parks, Cor-
nie Parks, Lerud Gilly, Anis
Gilly, Gale Gilly, Emory Gilly
and Rife Gilly may be made
parties defendants to this bill and
required to answer the same on their
oaths, the said adults in their own
proper persons and the infants by
Guardians ad litem; that a proper
guardian ad litem be appointed
in this cause for said infants who
shall also answer this bill on
oath; that proper process issue;
that the said real estate be di-
vided among the parties entitled
thereto; And that all such other
further and General relief be
granted as in the premises may be
just & right. And your Complaints
will now pray &c.

Prumington & Gains

J. G.

Q. 73

John F. Skaggs & wife

vs Bill In Chancery

Le. B. Howard's heirs

1892 1st Octo Rules

Bill filed & served

Exd on adult rights
& Decree nisi as to
them, as G. A. L.

filed & caused

" 2nd Octo Rules & nisi
caused Cause set
for hearing
by Plffs

" Now no Court

1893 March Decree final

" June Decree final

Q. 73. 485-

| | | |
|--------|-------|-------------|
| C. | 11.03 | 5749.36 |
| G.A.L. | 5.00 | \$9.87 |
| S | 67.50 | 30 |
| A | 15.00 | \$10.17 1/2 |
| Court | 10.00 | |
| Acc | 2.83 | |
| | 49.36 | |

To the Hon. H. S. K. Morrison
Judge of the Circuit Court
for Lee County.

The answer of Mabel Johnson,
Cornie² Parks, Emily³ O. Howard, John
M.⁴ Howard, Emory Gilley, Fred Gilley,
Amos⁷ Gilley, Lip⁵ Gilley & Gale Gilley
Defendants in a chancery cause
instituted in your Honor's Court
under the style of John F. Skaggs et al
vs Chas. E. Johnson et al - by J. A. G.
Hyatt their Guardian ad litem

Has answer this respondent
says that his wards are all of
tender years, hence incapable of
advising as to their best interest,
lent from a personal knowl-
ge of the facts stated in the
Bill, he thinks it will be to
the interest of all to have
said partition made -

Moreover the rights of these
wards are placed in the hands
of Your Honor where they will be
carefully guarded. And your
respondent prays hence to be
dismissed with his reasonable
costs.

J. A. G. Hyatt
G. A. L.

J. F. Skaggs wife
3 Annen
vs 3 G. A. Litem
C. B. Howard heirs

John F. Skaggs et al Compls
vs.
C. B. Howards heirs Deft } McKen-

This Cause came on this day to be heard upon the papers formerly read in said Cause, and the report & plat of Commr. L. M. Carmichael, Wm M. Huntington & W. N. G. Barron filed in this Cause on the 23rd day of May, 1893.; and said report being excepted to, it is adjudged, ordered and decreed that said report & plat be and are hereby confirmed and that Eveline Skaggs Take and hold lot no. one sit out in said report excepting therefrom that portion of Morgan & Joclyn avenues which passes through said lot; that Cornie Parks, Emory Gilly, Leased Gilly, Annis Gilly, Fish Gilly and Gale Gilly take & hold lot no. two, with the same exceptions as in Mrs. Skaggs lot; that Emily O. Howard Take and hold lot no. three with the same exceptions as in Mrs. Skaggs lot; that John M. Howard

take & hold lot No. four with
 like exceptions as in the
 other lots, and that Mabelle
 Johnson take and hold lot
 No. five with the exceptions
 as aforesaid in the other lots.
 And the Clerk of this Court
 will make out and deliver
 to the Clerk of the County Court
 of this county to be therein re-
 corded in the proper deed
 book, ^{copies of} the decree of this Court
 directing the partition of said land,
 the report & plat of said course
 and this decree confirming
 the same. And the costs of this
 suit be taxed by the clerk of
 this Court and that each of
 said parties will pay each
 one-fifth thereof and execution
 may issue therefor in favor
 of the officers of this Court.
 And this cause is stricken
 from the docket

100 H
 John F. Krugger
 vs. Green-June

L.B. Howard & Co.
 Entered on D.B.
 Page 486.
 June 5, 1893

J.A. & Hyatt &
 Recorded in Deed
 Book 29 pa-362.

Enter this
 June 8th 1893
 H. J. W. M.

John F. Skaggs & wife

vs

C. B. Howards heirs

} In Chancery

This cause on this day to be heard upon the bill of the Comptrolr, the answer of Mabel Johnson, Emily O. Howard, John M. Howard, Cornelia Parks, Emory Gilly, Louis Gilly, Annie Gilly, Trip Gilly & Gale Gilly infants by J. A. Skaggs their guardian ad litem, and the replication thereto. On consideration of all which and for reasons appearing to the Court it is adjudged, ordered and decreed that L. M. Carmichael, Wm M. Pennington, H. N. G. Barron and L. M. Duncanson who are hereby appointed special Comrs. for the purpose will go upon the lands in the bill & proceedings mentioned and partition the same among those entitled thereto; they will assign one equal share of said land to Eveline Skaggs adjoining the lands of her husband if the same can be done without injury to those others interest; and the residue of said land they will divide in four equal shares in

No. 1

John F. Shaggs wife

v. Decree No. 1

La. B. Howards heirs

Entered in La. C. B. Page
4444

March 9, 1893,
Recorded in Decd
Book 29 pa- 359.

Entered this

March, 9 1893

H. K. M.

equal value and assign one each
to Mahela Johnson, Emory O.
Howard and John M. Howard, and
one to Corrie Parks, Emory Gilly
Lored Gilly, Hurreis Gilly, S. J. Gilly
and Gail Gilly children of Mary
Gilly dead to be held by them jointly.
Said courts. will report their
action to court, and this cause is
continued.

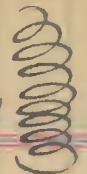
Virginia

At a Circuit Court Continued and
held for Lee County at &c, March 7/1893

John F. Spragg & wife Plffs 3
vs 3
C. B. Howards heirs Defts 3
3 In Lohay

It is adjudged ordered
and decreed that L. M. Lawrence
W. M. Pennington, W. K. L. Barron
and M. L. Slump, who are hereby
appointed Special Commissioners
for the purpose will go upon the
lands in the bill and proceedings
mentioned and partition the same
among those entitled thereto they
will assign one equal share of said
land to Maline Spragg, adjoining
the land of her husband, if the same
can be done without injury to
others interested and the residue
of said land they will divide into
four equal shares of equal value
and assign one each to Maline Thomas
Emily C. Howard, John M. Howard
and one to Carrie Parks, Emma Kelly
Loreed Gilley, Francis Gilley, Lip Wilcox and
Kate Willey Children of Mary Willey dec'd
to be held by them jointly. Said Court will
report their action to Court and the case is
Continued. Attest J. F. Spragg Clerk

J. F. Skagg wife

Des  Copy of Deed

C. B. Howard heirs

Executed by
Delivering a copy
of the within
to M. G. Slomp
and W. V. G. Barron
this Apr 25th 1893
L. M. Wade F.S.
for C. E. Skanary
S. L. C.

Free for Copies \$1.43

Pursuant to an order of the Circuit Court of Lee County dated March 9 1893. We the undersigned Commissioners L. M. Cornsick, E. W. Pennington and W. N. G. Barron have partitioned among those entitled thereto the property known as the Howard reserve situated in the Town of Pennington La according to the following plat and Report.

Having due regard to quality, quantity, position &c we have laid off and assigned to Evelyn Suggs Wife of John T. Suggs (Lot No 1) which we believe equal in value to one fifth the entire lands, subject to this partition, the acres and bounds of which are located by the surrounding Town of Pennington La and subject to certain streets running through it, hence in making such partition the lines of the Lots are run across said streets to the Northern and Southern bounds of said reserve, but we do not include said streets within said lots but there are excepted therefrom Lot No 1 is bounded as follows: Beginning in the middle of Morgan Avenue upon the west line of the Howard reserve as shown upon the plat of the Town of Pennington La thence with the middle of said street Eastward (74) seventy four feet to a stake, thence with lines parallel to said west line, extending to the North & South lines of reserve, and with

the same to the west line and with it to the
Containing exclusion of streets $\frac{4}{3}$ acres more or less
beginning. We have laid off and agreed to assign
to the Children of Mary Kelley deed viz
Carrie Parks, Emory Kelley Crest Kelley ~~Miss~~
Kelley Tip Kelley and Belle Kelley Lot No 2
bounded as follows - Beginning at a stake
in the middle of Morgan Ave. upon the West
line of Lot No 1 thence with middle of
said street ^{Eastward} (73) seventy three feet to a stake
thence with lines parallel to the West line,
extended to the North and South bounds
of said reserve, and with the same to East
line ^{of Lot No 1} and with same to the beginning
Containing exclusion of streets $\frac{10}{13}$ acres more or less
We have laid off and agreed to assign to Emily O.
Howard Lot No 3 bounded as follows
Beginning at a stake in the middle of Morgan
Ave. upon the East line of Lot No 2, thence
with the middle of said street Eastward
(77) ~~Seventy seven~~ ^{Seventy seven} feet to a
stake, thence with a line parallel with the West
line, extended to the North and South bounds
of said reserve, and with the same to said East
line of Lot No 2 & with it to the beginning
Containing exclusion of streets $\frac{10}{13}$ acres more or less
We have laid off and agreed to assign to John H.
Howard Lot No 4. bounded as follows
Beginning at the East line of Lot No 3

and in the middle of Morgan Ave thence
Eastward with the middle of said street
(132) one hundred and thirty two feet
to a stake thence with lines parallel to the
West line, extended to the north &
south bounds of said reserve, and with
the same to the East line of Lot No 3,
and with the same to the beginning
Containing exclusive of streets $\frac{15}{18}$ acres more or less
This assignment does not include the
dwelling house thereon, which is assigned
to Lot No 3 to be removed.

We have laid off and of record to Abel
Johnson Lot No 5. Beginning on
the East line of Lot No 4 and in the
middle of Morgan Ave thence
Eastward some 273 feet to a stake on
the East line of said reserve, and with
it to the north & south bounds of
the said reserve, and with the same to
the East line of Lot No 4 and with line
of same to the beginning.
Containing exclusive of streets $\frac{20}{13}$ acres more or less
Respat submitted May 8th 1893

J. W. Cornwell
J. W. Brownson
W. W. L. Barron

no 2
J. F. Shuggs wife
vs
Comrs Report
vs
partition
C. B. Howards heirs

Filed Mar. 23rd 1893
J. A. Stagg & Co

Recorded in Deed
Book 29 pa-359

Comrs fee 10¢

Price of Cost L. W. Corns out Calculating & reporting \$6.00
J. M. Cunningham Com. 1 day \$2.00
W. A. B. B. Com. 1 day 2.00
\$10.00



PARTITION
of the
HOWARD RESERVE
By
L. M. CARMICAL et al

May 8th 1893

6 — 50
33
—
17

no 3

- 1 J. P. Herndon
- 2 E. Sarah. Flanagan
- 3 George. Haskins
- 4 W. P. Sprinkle
- 5 W. W. Wypel
- 6 Morgan. Thomas
- 7 C. C. Blankenship
- 8 H. C. McKeliff
- 9 D. H. Russell
- 10 W. B. Livingston
- 11 J. J. Perry
- 12 C. C. Bell

Jerry
No 2

The Commonwaalth of Virginia.

TO THE SHERIFF OF LEE COUNTY, GREETING:

We Command, You to Summon

Charles E. Johnson and
Walter Johnson, Hugh L. Sparks,
and Learchine Sparks, Emily O. Howard
John M. Howard, Emory Gilley
Creed Gilley, Anna Gilley, L. P. Gilley
and Gale Gilley

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in
October 1892 next, being rule day to answer a bill in Chancery exhibited in our said Court against

..... by *J. A. Spaggs*
Eveline J. Spaggs

And have then and there this writ Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse. This.... *1st*
day of *October* 18*92*, in the 11*7* year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste

11
12 1/2
13 2/5

3.52 (S+P)

J. F. Shagmottellin

3 Spu in

no 3 chey

Chas. E. Johnson et al

By 1st October, 1892.

Executed Oct 3-1892

By delivering and affixing
copy of the within summe

to Charles E. Johnson

Wm. Johnson, George H. Johnson

Wm. Johnson, George H. Johnson

O. Johnson, George H. Johnson

Family, George H. Johnson

Gibley, Mrs. Gibley

Gift, Gibley and Gibley

Gibley, This Oct 7.

1892.

C. E. Flannery.

S. L. C.